



STATE OF ALABAMA

DEPARTMENT OF FINANCE
DIVISION OF PURCHASING

INVITATION TO BID

INVITATION TO BID NO: 10-R-2216472

REQ. AGENCY : 327000
ALABAMA SURFACE MINING COMMISSION
AGENCY REQ. NO. : 270018
T-NUMBER :
DATE ISSUED : 01/25/10
VENDOR NO. :
VENDOR PHONE NO. :
SNAP REQ. NO. : 1434643
BUYER NAME : RAY BRESSLER

FOR: RECLAMATION-MOUNTAINBROOK COAL P-3732

BUYER PHONE NO. : (334) 242-4670-
PURCHASING PHONE NO: (334) 242-7250

BID MUST BE RECEIVED BEFORE:
DATE: 02/18/10 TIME: 5:00 PM

BIDS WILL BE PUBLICLY OPENED:
DATE: 02/19/10 TIME: 10:00 AM

TO BE COMPLETED BY VENDOR

INFORMATION IN THIS SECTION SHOULD BE PROVIDED, AS APPROPRIATE. BID RESPONSE
MUST BE IN INK OR TYPED WITH ORIGINAL SIGNATURE AND NOTARIZATION.

1. DELIVERY: CAN BE MADE _____ DAYS OR _____ WEEKS AFTER RECEIPT OF ORDER
2. TERMS: _____(DISCOUNTS ARE TAKEN WITHOUT REGARD TO DATE OF PAYMENT.)
3. PRICE VALID FOR ACCEPTANCE WITHIN _____ DAYS.
4. VENDOR QUOTATION REFERENCE NUMBER, IF ANY: _____
(THIS NUMBER WILL APPEAR ON THE PURCHASE ORDER.)
5. E-MAIL ADDRESS: _____
INTERNET WEBSITE: _____
6. GENERAL CONTRACTOR'S LICENSE NO: _____
TYPE OF G.C. LICENSE: _____

***** IMPORTANT NOTE: *****

BIDDERS MUST COMPLY WITH ALL "BID RESPONSE INSTRUCTIONS" ON PAGE 2, TO INCLUDE
ITEM 7 - COPY REQUIREMENT.

RETURN INVITATION TO BID:

US MAIL

STATE OF ALABAMA
DEPARTMENT OF FINANCE
DIVISION OF PURCHASING
P O BOX 302620
MONTGOMERY, AL 36130-2620

COURIER

STATE OF ALABAMA
DIVISION OF PURCHASING
RSA UNION BUILDING
100 N. UNION ST., SUITE 192
MONTGOMERY, AL 36104

SIGNATURE AND NOTARIZATION REQUIRED

I HAVE READ THE ENTIRE BID AND AGREE TO FURNISH EACH ITEM OFFERED AT THE PRICE QUOTED.
I HERBY AFFIRM I HAVE NOT BEEN IN ANY AGREEMENT OR COLLUSION AMONG BIDDERS IN
RESTRAINT OF FREEDOM OF COMPETITION BY AGREEMENT TO BID AT A FIXED PRICE OR TO
REFRAIN FROM BIDDING.

SWORN TO AND

FEIN OR SSN

AUTHORIZED SIGNATURE (INK)

SUBSCRIBED BEFORE ME THIS

COMPANY NAME

TYPE/PRINT AUTHORIZED NAME

_____ DAY OF _____

MAIL ADDRESS

TITLE

NOTARY PUBLIC

CITY, STATE, ZIP

TOLL FREE NUMBER

TERM EXP: _____

PHONE INCLUDING AREA CODE

FAX NUMBER

STANDARD TERMS & CONDITIONS

VENDOR NAME :

VENDOR NUMBER: -

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INVITATION TO BID

OPEN DATE : 02/19/10 TIME: 10:00 AM

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AUTHORITY:

THE DEPARTMENT OF FINANCE CODE OF ADMINISTRATIVE PROCEDURE, CHAPTER 355-4-1 EFFECTIVE DECEMBER 20, 2001 IS INCORPORATED BY REFERENCE AND MADE A PART OF THIS DOCUMENT. TO RECEIVE A COPY CALL (334)242-7250, OR OUR WEBSITE WWW.PURCHASING.ALABAMA.GOV .

INFORMATION AND ASSISTANCE TO MINORITY AND WOMEN-OWNED BUSINESSES IN ACQUIRING M/WBE CERTIFICATION MAY BE OBTAINED FROM THE OFFICE OF MINORITY BUSINESS ENTERPRISE, 1-800-447-4191.

BID (ITB) RESPONSE INSTRUCTIONS

REV: 01/14/10

1. TO SUBMIT A RESPONSIVE BID, READ THESE INSTRUCTIONS, ALL TERMS, CONDITIONS AND SPECIFICATIONS.
2. BID ENVELOPES/PACKAGES/BOXES MUST BE IDENTIFIED ON FRONT, PREFERABLY LOWER LEFT CORNER AND BE VISIBLE WITH THE BID NUMBER AND OPENING DATE. EACH INDIVIDUAL BID (IDENTIFIED BY A UNIQUE BID NUMBER) MUST BE SUBMITTED IN A SEPARATE ENVELOPE. RESPONSES TO MULTIPLE BID NUMBERS SUBMITTED IN THE SAME ENVELOPE/COURIER PACKAGE, THAT ARE NOT IN SEPARATE ENVELOPES PROPERLY IDENTIFIED, WILL BE REJECTED. THE DIVISION OF PURCHASING DOES NOT ASSUME RESPONSIBILITY FOR LATE BIDS FOR ANY REASON INCLUDING THOSE DUE TO POSTAL, OR COURIER SERVICE. BID RESPONSES MUST BE IN THE DIVISION OF PURCHASING OFFICE PRIOR TO THE "RECEIVE DATE AND TIME" INDICATED ON THE BID.
3. BID RESPONSES (PAGE 1, PRICE SHEET AND ADDENDUMS (WHEN SIGNATURE IS REQUIRED)) MUST BE IN INK OR TYPED ON THIS DOCUMENT. OR EXACT FORMAT WITH SIGNATURES BEING HANDWRITTEN ORIGINALS IN INK (PERSON SIGNING BID, NOTARY, AND NOTARY EXPIRATION), OR THE BID WILL BE REJECTED. UNLESS INDICATED IN THE BID, ALL PRICE PAGES MUST BE COMPLETED AND RETURNED. IF AN ITEM IS NOT BEING BID, IDENTIFY IT AS NB (NO-BID). PAGES SHOULD BE SECURED. THE DIVISION OF PURCHASING DOES NOT ASSUME RESPONSIBILITY FOR MISSING PAGES. FAXED BID RESPONSES WILL NOT BE ACCEPTED.
4. THE UNIT PRICE ALWAYS GOVERNS REGARDLESS OF THE EXTENDED AMOUNT. A UNIT PRICE CHANGE ON A LINE MUST BE INITIALED BY THE PERSON SIGNING THE BID, OR THAT LINE WILL BE REJECTED. THIS INCLUDES A CROSS-OUT, STRIKE-OVER, INK-OVER, WHITE-OUT, ERASURE, OR ANY OTHER METHOD CHANGING THE PRICE.
5. A "NO BID" MUST BE RETURNED TO REMAIN ON A CLASS/SUBCLASS. RETURN PAGE 1 OR NOTIFICATION PAGE MARKED "NO-BID". IDENTIFY IT ON THE ENVELOPE AS A "NO-BID". FAILING TO RESPOND TO 3 ITB'S WITHIN THE SAME CLASS/SUBCLASS WILL AUTOMATICALLY PURGE THE VENDOR FROM THAT CLASS/SUBCLASS. RESPONDING WITH 6 "NO-BIDS" WITHIN THE SAME CLASS/SUBCLASS WILL AUTOMATICALLY PURGE THE VENDOR FROM THAT CLASS/SUBCLASS. A "NO-BID" RECEIVED LATE IS CONSIDERED A NO RESPONSE.
6. THE DIVISION OF PURCHASING IS NOT RESPONSIBLE FOR MISINTERPRETATION OF DATA FAXED FROM THIS OFFICE.
7. THE DIVISION OF PURCHASING REQUIRES AN ORIGINAL AND A MINIMUM OF ONE COMPLETE EXACT COPY (TO INCLUDE SIGNATURE AND NOTARY) OF THE INVITATION-TO-BID RESPONSE. THE ORIGINAL AND THE COPY SHOULD BE SUBMITTED TOGETHER AS A BID PACKAGE. FAILURE TO MARK RESPONSES AS "ORIGINAL" AND/OR "COPY" COULD RESULT IN THE ENTIRE BID RESPONSE BEING REJECTED.
8. AN IMPROPERLY SUBMITTED BID, LATE BID, OR BID THAT IS CANCELLED ON OR BEFORE THE OPENING DATE WILL BE HELD FOR 90 DAYS AND THEN DESTROYED. THE BID MUST BE RETRIEVED DURING REGULAR WORK HOURS, MONDAY - FRIDAY, EXCEPT STATE HOLIDAYS. AFTER THE BID IS DESTROYED, THE DIVISION OF PURCHASING ASSUMES NO RESPONSIBILITY FOR THE DOCUMENT.

DISQUALIFIED/CANCELLED BID

BIDS THAT ARE IMPROPERLY SUBMITTED OR RECEIVED LATE WILL BE A RESPONSE FOR RECORD, BUT WILL NOT BE RETURNED OR A NOTIFICATION MAILED.

THE FOLLOWING IS A PARTIAL LIST WHEREBY A BID RESPONSE WILL BE DISQUALIFIED:

BID NUMBER NOT ON FACE OF ENVELOPE/COURIER PACKAGE/BOX
RESPONSES TO MULTIPLE BID NUMBERS IN SAME ENVELOPE NOT PROPERLY IDENTIFIED
BID RECEIVED LATE
BID NOT SIGNED/NOT ORIGINAL SIGNATURE
BID NOT NOTARIZED/NOT ORIGINAL SIGNATURE OF NOTARY AND/OR NO NOTARY EXPIRATION
NOTARIZED OWN SIGNATURE
REQUIRED INFORMATION NOT SUBMITTED WITH BID
FAILURE TO SUBMIT THE ORIGINAL BID AND A COMPLETE EXACT COPY

CERTIFICATION PURSUANT TO ACT NO. 2006-557

ALABAMA LAW (SECTION 41-4-116, CODE OF ALABAMA 1975) PROVIDES THAT EVERY BID SUBMITTED AND CONTRACT EXECUTED SHALL CONTAIN A CERTIFICATION THAT THE VENDOR, CONTRACTOR, AND ALL OF ITS AFFILIATES THAT MAKE SALES FOR DELIVERY INTO ALABAMA OR LEASES FOR USE IN ALABAMA ARE REGISTERED, COLLECTING, AND REMITTING ALABAMA STATE AND LOCAL SALES, USE, AND/OR LEASE TAX ON ALL TAXABLE SALES AND LEASES INTO ALABAMA. BY SUBMITTING THIS BID, THE BIDDER IS HEARBY CERTIFYING THAT THEY ARE IN FULL COMPLIANCE WITH ACT NO. 2006-557, THEY ARE NOT BARRED FROM BIDDING OR ENTERING INTO A CONTRACT PURSUANT TO 41-4-116, AND ACKNOWLEDGES THAT THE AWARDING AUTHORITY MAY DECLARE THE CONTRACT VOID IF THE CERTIFICATION IS FALSE.

SPECIAL TERMS & CONDITIONS

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VENDOR NUMBER: -

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INVITATION TO BID

INTENT TO AWARD

EFFECTIVE MAY 1, 2008, THE STATE OF ALABAMA - DIVISION OF PURCHASING WILL ISSUE AN 'INTENT TO AWARD' BEFORE A FINAL AWARD IS MADE. THE 'INTENT TO AWARD' WILL CONTINUE FOR A PERIOD OF FIVE (5) CALENDAR DAYS, AFTER WHICH A PURCHASE ORDER WILL BE PRODUCED. UPON FINAL AWARD, ALL RIGHTS TO PROTEST ARE FORFEITED. A DETAILED EXPLANATION OF THIS PROCESS MAY BE REVIEWED IN THE ALABAMA ADMINISTRATIVE CODE - CHAPTER 355-4-1(14).

ALTERNATE BID RESPONSE

UNLESS STATED ELSEWHERE IN THIS INVITATION-TO-BID (ITB) THE STATE OF ALABAMA WILL ACCEPT AND EVALUATE ALTERNATE BID SUBMITTALS ON ANY ITB'S. ALTERNATE BID RESPONSES WILL BE EVALUATED ACCORDING TO THE REQUIREMENTS AS ALL OTHER RESPONSES TO THIS ITB.

INTERNET WEBSITE LINK'S

INTERNET AND/OR WEBSITE LINKS WILL NOT BE ACCEPTED IN BID RESPONSES AS A MEANS TO SUPPLY ANY REQUIREMENTS STATED IN THIS ITB (INVITATION-TO-BID).

PRODUCT DELIVERY, RECEIVING AND ACCEPTANCE

IN ACCORDANCE WITH THE UNIVERSAL COMMERCE CODE (CODE OF ALABAMA, TITLE 7), AFTER DELIVERY, THE STATE OF ALABAMA HAS THE RIGHT TO INSPECT ALL PRODUCTS BEFORE ACCEPTING. THE STATE WILL INSPECT PRODUCTS IN A REASONABLE TIMEFRAME. SIGNATURE ON A DELIVERY DOCUMENT DOES NOT CONSTITUTE ACCEPTANCE BY THE STATE. THE STATE WILL ACCEPT PRODUCTS ONLY AFTER SATISFACTORY INSPECTION.

SALES TAX EXEMPTION

PURSUANT TO THE CODE OF ALABAMA, 1975, TITLE 40-23-4 (A) (11), THE STATE OF ALABAMA IS EXEMPT FROM PAYING SALES TAX. AN EXEMPTION LETTER WILL BE FURNISHED UPON REQUEST.

INVOICES

INQUIRIES CONCERNING PAYMENT AFTER INVOICES HAVE BEEN SUBMITTED ARE TO BE DIRECTED TO THE RECEIVING AGENCY, NOT THE DIVISION OF PURCHASING

BID RESPONSES AND BID RESULTS

UNEVALUATED BID RESPONSES (NOT BID RESULTS) ARE AVAILABLE ON OUR WEB SITE AT WWW.PURCHASING.ALABAMA.GOV. BID RESULTS WILL BE MADE AVAILABLE FOR REVIEW IN THE DIVISION OF PURCHASING OFFICE, BUT ONLY AFTER THE BID HAS BEEN AWARDED. WE DO NOT FAX OR MAIL COPIES OF BID RESULTS. IF A VENDOR WISHES TO REVIEW BID RESULTS IN OUR OFFICE, THEY SHOULD FAX THEIR REQUEST TO REVIEW THE BID TWO DAYS IN ADVANCE TO THE "BID REVIEW CLERK" AT (334) 242-4419. BE SURE TO REFERENCE THE BID NUMBER.

FOREIGN CORPORATION - CERTIFICATE OF AUTHORITY

ALABAMA LAW PROVIDES THAT A FOREIGN CORPORATION (AN OUT-OF-STATE COMPANY/FIRM) MAY NOT TRANSACT BUSINESS IN THE STATE OF ALABAMA UNTIL IT OBTAINS A CERTIFICATE OF AUTHORITY FROM THE SECRETARY OF STATE. SECTION 10-2B-15.01, CODE OF ALABAMA 1975. TO OBTAIN FORMS FOR A CERTIFICATE OF AUTHORITY, CONTACT THE SECRETARY OF STATE, CORPORATIONS DIVISION, (334) 242-5324. THE CERTIFICATE OF AUTHORITY DOES NOT KEEP THE VENDOR FROM SUBMITTING A BID.

BID IDENTIFICATION

REFERENCE PAGE 2, ITEM 2. DUE TO THE POSTAL SERVICE PUTTING BAR CODE LABELS ON ENVELOPES, IT CONCEALS THE BID NUMBER AND DATE IF THE VENDOR HAS WRITTEN THEM OTHER THAN THE LOWER LEFT CORNER, THEREFORE THE BID WOULD BE REJECTED FOR NOT BEING PROPERLY IDENTIFIED.

SPECIAL TERMS & CONDITIONS

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INVITATION TO BID

AWARD:

THE AWARD SHALL BE MADE TO THE LOWEST RESPONSIBLE BIDDER MEETING ALL SPECIFICATIONS.

ASSIGNMENT OF CONTRACT:

TO ASSIGN, SUBLET OR TRANSFER ANY CONTRACT RESULTING FROM THIS SOLICITATION, THE VENDOR'S WRITTEN REQUEST MUST BE APPROVED BY THE STATE PURCHASING DIRECTOR.

NO PROJECT SHALL BE AWARDED TO A VENDOR, OR SUBCONTRACTOR WHO, AT THE TIME OF BID OPENING, HAS DELINQUENT FINES, PENALTIES, OR FEES OWED TO THE ALABAMA SURFACE MINING COMMISSION, OR THE DEPARTMENT OF INTERIOR, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT. POOR PERFORMANCE HISTORY ON ASMC PROJECTS ALSO DISQUALIFIES A VENDOR/SUBCONTRACTOR FOR AN AWARD. THE VENDOR/SUBCONTRACTOR WILL BE CANCELLED IMMEDIATELY AND THE PROJECT REAWARDED IF DISCOVERED LATER THESE FINES/PENTALIES EXIST. IF A SUBCONTRACTOR IS USED FOR ANY PORTION OF THIS PROJECT, THEY MUST BE LISTED IN THE BID.

DELIVERY AND INSTALLATION:

BID IS TO INCLUDE COST OF TRANSPORTATION, UNLOADING, INSTALLATION AND REMOVAL OF DEBRIS. DROP SHIPMENTS ARE NOT ACCEPTABLE. TITLE WILL CHANGE UPON RECEIPT OF SATISFACTORY DELIVERY AND INSTALLATION.

F.O.B. DESTINATION:

F.O.B. DESTINATION IS THE LOCATION WHERE MERCHANDISE IS DELIVERED AND UNLOADED ON A RECEIVING DOCK, IF AVAILABLE, TO ANY STATE OR LOCAL GOVERNMENT AGENCY AND THE CHANGE OF TITLE TAKES PLACE. THE VENDOR IS LIABLE FOR FREIGHT CHARGES, RISK OF LOSS OR DAMAGE TO THE MERCHANDISE UP TO THE DESTINATION.

FREIGHT:

BID IS F.O.B. DESTINATION. ANY FREIGHT CHARGES MUST BE INCLUDED IN THE BID PRICES.

NON-APPROPRIATION OF FUNDS:

CONTINUATION OF ANY AGREEMENT BETWEEN THE STATE AND A BIDDER BEYOND A FISCAL YEAR IS CONTINGENT UPON CONTINUED LEGISLATIVE APPROPRIATION OF FUNDS FOR THE PURPOSE OF THIS BID AND ANY RESULTING AGREEMENT. NON-AVAILABILITY OF FUNDS AT ANY TIME SHALL CAUSE ANY AGREEMENT TO BECOME VOID AND UNENFORCEABLE AND NO LIQUIDATED DAMAGES SHALL ACCRUE TO THE STATE AS A RESULT. THE STATE WILL NOT INCUR LIABILITY BEYOND THE PAYMENT OF ACCRUED AGREEMENT PAYMENT.

PRORATION:

ANY PROVISION OF A CONTRACT RESULTING FROM THIS BID TO THE CONTRARY NOTWITHSTANDING, IN THE EVENT OF FAILURE OF THE STATE TO MAKE PAYMENT HEREUNDER AS A RESULT OF PARTIAL UNAVAILABILITY, AT THE TIME SUCH PAYMENT IS DUE, OF SUCH SUFFICIENT REVENUES OF THE STATE TO MAKE SUCH PAYMENT (PRORATION OF APPROPRIATED FUNDS FOR THE STATE HAVING BEEN DECLARED BY THE GOVERNOR PURSUANT TO SECTION 41-4-90 OF THE CODE OF ALABAMA 1975), THE CONTRACTOR SHALL HAVE THE OPTION, IN ADDITION TO THE OTHER REMEDIES OF THE CONTRACT, OF RENEGOTIATING THE CONTRACT (EXTENDING OR CHANGING PAYMENT TERMS OR AMOUNTS) OR TERMINATING THE CONTRACT.

QUALITY OF MATERIALS AND LABOR:

MATERIALS USED THAT ARE NOT OTHERWISE SPECIFIED SHALL BE THE KIND AND QUALITY CONSISTENT WITH THE TRADE PRACTICE FOR SUCH WORK AND SHALL COMPLY WITH ALL LOCAL CODES. ALL LABOR SHALL BE WELL EXPERIENCED IN THIS TYPE WORK AND IT SHALL BE COMPLETED IN A PROFESSIONAL MANNER.

BLANK LINES:

TO EVALUATE THE BID IN AN EFFICIENT MANNER, THE VENDOR SHOULD FILL-IN ALL BLANK LINES APPLICABLE TO A SPECIFIC COMMODITY DESCRIPTION.

REQUESTED INFORMATION:

ANY ADDITIONAL INFORMATION REQUESTED FROM A VENDOR MUST BE FURNISHED

SPECIAL TERMS & CONDITIONS

VENDOR NAME :

VENDOR NUMBER:

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INVITATION TO BID

WITHIN TEN (10) DAYS FROM RECEIPT OF REQUEST.

SPECIAL TERMS & CONDITIONS

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INVITATION TO BID

THE FOLLOWING CONFERENCES WILL BE HELD

CONFERENCE

LOCATION

MANDATORY SITE VISIT

DATE: 02/11/10

TIME: 11:30 AM

U S POST OFFICE

NEAR HWY 117 & HWY71 INTERSECT

21447 AL HWY 71

FLAT ROCK AL 35966-5109

PRICE SHEET

VENDOR NAME :

VENDOR NUMBER: -

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OPEN DATE : 02/19/10 TIME: 10:00 AM

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INVITATION TO BID

LINE NO.	COMMODITY/SERVICE DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT
UNLESS SPECIFIED OTHERWISE BELOW: SHIP TO: 327000 / 327M01 ALABAMA SURFACE MINING COMMISSION ADMINISTRATIVE SERVICES 1811 SECOND AVE 2ND FLOOR - 1ST FED BLDG JASPER AL 35501					
00001	COMMODITY CODE: 968-39-050660 LAND RECLAMATION & SURFACE MINING RECLAMATION OF COAL SURFACE MINED LAND TO STATE OF ALABAMA STANDARDS. ALL TERMS AND SPECIFICATIONS OF THE SURFACE MINING COMMISSION SHALL APPLY. JACKSON COUNTY, ALABAMA. AREA TO BE RECLAIMED CONSISTS OF APPROXIMATELY 5 ACRES IN NE1/4 OF NW1/4, NW1/4 OF NE1/4, SE1/4 OF NE1/4 SECTION 8, TOWNSHIP 3 SO, RANGE 9 EAST AND SW1/4 OF NW1/4 SECTION 9, TOWNSHIP 3 SO, RANGE 9 EAST. FORMERLY MINED BY MOUNTAINBROOK COAL COMPANY, INC UNDER P-3732. LIMIT FOR THIS JOB IS \$31,315. SPECIFICATIONS AND RECLAMATION PROCEDURE WILL BE AVAILABLE AT PRE-BID CONFERENCE. ALL BIDDERS BIDDING IN AMOUNTS EXCEEDING \$50,000.00 MUST BE LICENSED UNDER PROVISIONS OF TITLE 34, CHAPTER 8, CODE OF ALABAMA, 1975. VENDORS BIDDING IN EXCESS OF \$50,000.00 PLEASE INSERT YOUR LICENSE NO. HERE _____. SITE VISIT IS MANDATORY 2/11/10 11:30 AM CONTACT: BRANDON HAMILTON 205-919-4342 C REMEMBER: RETURN ORIGINAL BID AND ONE COMPLETE EXACT COPY OF ORIGINAL BID TO PURCHASING.	1	EA		

PAGE TOTAL

BID TOTAL

GENERAL SPECIFICATIONS:

1. A pre-bid conference and site visit will be held and all parties intending to submit a bid are required to be present. **The conference will be held at the Flat Rock, Alabama U.S. Post Office located at 21447 Alabama Highway 71, Flat Rock, AL 35966-5109 (approximately 0.09 miles west of Hwy 117 & Hwy 71 intersection).**
2. The purchase order will be awarded to the lowest bidder with bid not exceeding the amount of the bid limit. If a bidder does not feel that the project as outlined can be done for the amount of the bid limit, he may submit his own plan detailing what he can do to successfully reclaim the area for the bid limit or less. If all bidders feel the original plan cannot be implemented for the amount of the bid limit or less will be awarded the purchase order if their plan meets Commission approval.
3. The successful bidder will be required to obtain an NPDES storm water permit from the Alabama Department of Environmental Management (ADEM) and furnish a copy of the permit to the Commission prior to commencement of reclamation work. The Best Management Practices Plan (BMP) required for the permit will be engineered and provided to the successful bidder by the Commission. The cost of the permit and implementation of the BMP is at the contractor's expense and should be considered during bid preparation. The contractor will be responsible for performing all required NPDES permit site inspections. The BMP sediment control structures such as rock check dams, lay dams, silt fencing, etc., shall be installed by the contractor and inspected and approved by the Commission prior to commencement of reclamation work. It is the contractor's responsibility to meet permit requirements and to maintain all structures until they are released from the storm water permit by ADEM. (Storm water permit not required if grading is one acre or less).
4. Prior to issuance of the purchase order, the successful bidder must furnish proof of insurance (minimum limits of \$300,000 personal injury and \$100,000 property damage (liability insurance)).
5. Work must be performed in accordance with the requirements and the schedules outlined in each job specification. Payment will be made by the State following completion of the grading and revegetation and after inspection and approval of same by the Commission. Any deviation from the reclamation time schedule shall be shown and explained by prospective bidders.
6. Revegetation work shall not be initiated until final approval has been granted on the grade work. The Commission shall be notified when

***ITB # 10-R-2216472
Requisition 1434643***

GENERAL SPECIFICATIONS:
PAGE 2

revegetation work is to begin. No materials (lime, fertilizer, seed or mulch) shall be applied without a representative of the Commission present unless previously approved by the Commission. Any materials applied without a representative of the Commission present (unless previously approved) shall not be considered as meeting the job specifications and shall be re-applied.

7. Documentary evidence (including receipts and tags from seed bags) will be required to demonstrate application of all materials (eg. Lime, fertilizer, seed, etc.) purchased.
8. If a contractor's bid is \$50,000 or more, the contractor must be a licensed general contractor in the State of Alabama before the bid can be considered (Code of Alabama 1975, Title 34-8). The general contractor's license number shall appear on the bid sheet as evidence of valid license.

RECLAMATION PROCEDURES:

GRADING / COAL PAD STABILIZATION:

Grading shall be completed with 120 calendar days (weather permitting) following receipt of purchase order. Final graded slopes shall be restored to approximate original contour. Coal pad areas identified on the attached maps shall have coal and stockpiled material removed. Said material shall be covered beneath the coal pad for permanent stabilization. Once the coal pads have been ripped and regraded, a minimum of 4 feet of material shall separate the coal from the ground surface.

REVEGETATION:

Revegetation shall be completed within 45 calendar days (weather permitting) following inspection and approval of grading. Seed mixtures illustrated in the below provided appropriate Table 1 or 2 shall be applied to all areas of exposed soil. *Seeding rates in excess of those specified may be used at contractor's discretion.*

Table 1: Fall/Winter Mix

Seed Species	Percent of Mix	Application Rate
Kentucky # 31 Tall Fescue	65%	48.75 lbs./acre
Bermudagrass	10%	7.5 lbs./acre
Sericea Lespedeza	10%	7.5 lbs./acre
Durana White Clover	10%	7.5 lbs./acre
Small Grains	5%	3.75lbs. /acre
TOTALS:	100%	75lbs./acre

Table 2: Spring/Summer Mix

Seed Species	Percent of Mix	Application Rate
Kentucky # 31 Tall Fescue	35%	26.25 lbs./acre
Bermudagrass	20%	15 lbs./acre
Sericea Lespedeza	30%	22.5 lbs./acre
Durana Clover	10%	7.5 lbs./acre
Browntop Millet	5%	3.75lbs./acre
TOTALS:	100%	75lbs./acre

Only certified seed shall be used and all legumes must be treated with appropriate inoculums. In the event pre-mixed seed is applied, each individual bag shall be tagged illustrating and warranting seed species purity within the blend. If non pre-mixed seed is used, seed shall be applied in single applications for each species. All seed tags shall be retained for billing purposes as described

in the *General Specifications*. Fertilizer may be applied per bag and/or granular bulk form. Soil amendments may be added in excess of soil testing recommendations at contractor's discretion. Seedbed preparation shall follow Table 3 provided below:

Table 3:

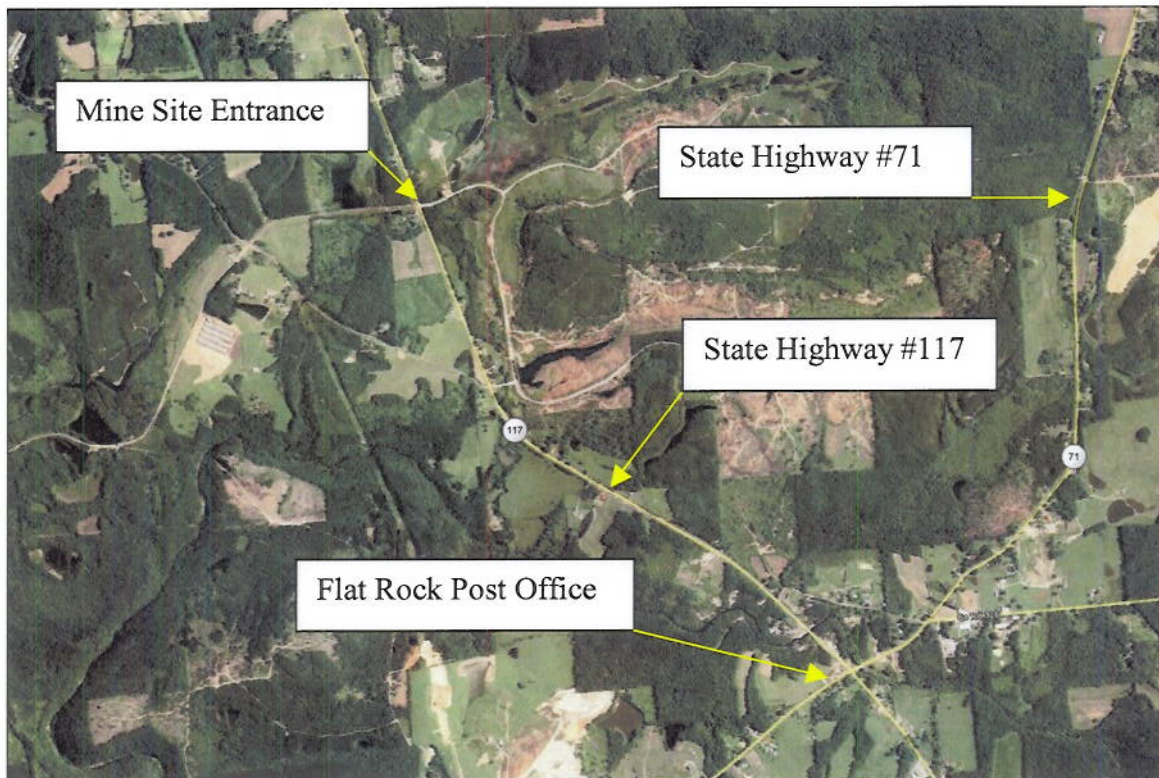
	Application	Application Rate
1.	Lime	3 tons per acre on 5 acres
2.	Fertilization	800 lbs. per acre of 13-13-13 on 5 acres
3.	Scarification	Discing
4.	Seeding	Refer to Table: 1 for species and application rates
5.	Mulching	Minimum of 4 rolls or 60 bales per acre on 5 acres

Soil amendments may be added in excess at contractor's discretion.

NOTE: Documentary evidence will be required to demonstrate application of all materials; e.g., lime, fertilizer, seed, riprap purchased.

GROUNDKEEPING:

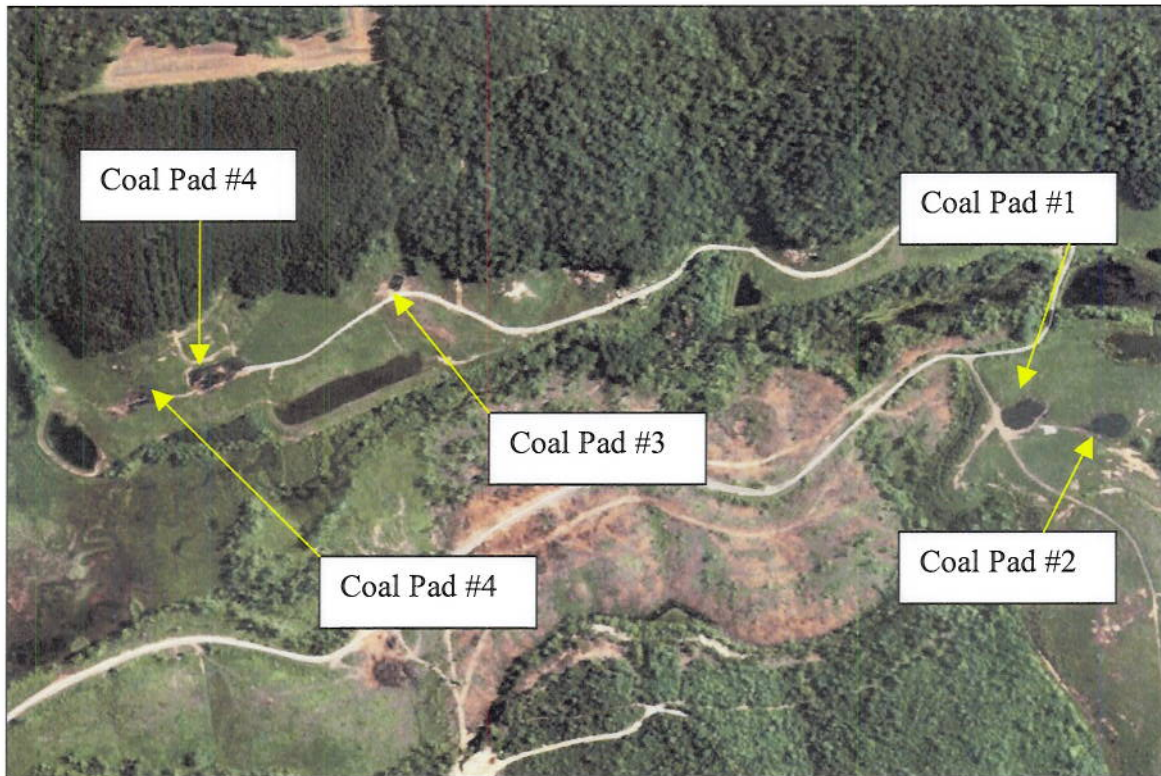
Abandoned equipment and refuse relating to the mining operation and/or contractor refuse shall be removed from the subject site and appropriately disposed of in accordance to Federal, State, and local regulations.



Mountainbrook Coal Company, Inc.
Mine #3
Jackson County, Alabama
Township 3 South
Range 9 East
Sections 8 & 9

Mine Site Entrance Coordinates:
34° 47' 28.78" N
85° 43' 31.30" W

Flat Rock Post Office Coordinates:
34° 46' 2.88" N
85° 42' 18.68" W



Mountainbrook Coal Company, Inc.
Mine #3
Jackson County, Alabama
Township 3 South
Range 9 East
Sections 8 & 9